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Before the
Federal Communications Commission
Washington, D.C. 20554

NOV 14 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Amendment of Section 73.622(b),)	MM Docket No. 02-281
Table of Allotments,)	RM-10563
Digital Television Broadcast Stations.)	
(Macon, Georgia))	

To: Chief, Video Division, Media Bureau

COMMENTS IN SUPPORT OF NOTICE OF PROPOSED RULE MAKING

Macon Urban Ministries, Inc., d/b/a Good News Television, licensee of NTSC television broadcast station WGNM, Channel 64, Macon, Georgia, through counsel and pursuant to Section 1.420 of the Rules, hereby submits these brief Comments in support of the FCC's Notice of Proposed Rule Making, DA 02-2286, released September 16, 2002 (published in summary form, 67 Fed. Reg. 61572 (October 2, 2002)), to amend Section 73.622(b) of the Rules, the Table of Allotments for Digital Television Broadcast Stations, to substitute Channel 45, at Macon, Georgia, for Channel 50, the current paired channel allotment for NTSC Channel 64.

Good News Television hereby adopts and incorporates by reference, as if fully set forth herein, its attached Petition for Rule Making, filed April 1, 2002

Since the filing of the Petition for Rule Making, the FCC has dismissed two applications for a new NTSC television broadcast station on Channel 35 at Warner Robins, Georgia, at least one of which had been identified by the staff as being mutually exclusive with Good News Television's pending application (File No. BPCDT-19991029AFL) for a construction permit for a new digital television broadcast station on Channel 50. Other than that action, a review of the

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FCC's records appears to show that there has been no change in the status of the four NTSC and DTV channel allotments that are potentially affected by the present Channel 50 allotment, as described in the Petition for Rule Making. By eliminating the potential for interference to stations operating on those channels, the substitution of Channel 45 for Channel 50 in the DTV Table of Allotments at Macon will permit Good News Television to utilize the spectrum more efficiently, providing digital television service to a total of 713,912 persons (2000 Census), including all of the population within WGNM(TV)'s currently authorized (File No. BPCT-980630KE) NTSC Grade B contour, and all of the population residing within the service area proposed in the pending DTV construction permit application. This will represent a DTV service gain of 89,848 persons, or 14.4 percent. Of at least equal importance, substitution of Channel 45 for Channel 50 at Macon will remove the mutual exclusivity the staff has identified between Good News Television's application and a pending modification application for a DTV station authorized on Channel 51 at Cordele, Georgia, thereby expediting the authorization and implementation of new DTV service to Macon. Thus, notwithstanding that the Channel 35 NTSC allotment at Warner Robins is no longer linked to Good News Television's pending DTV application, there remain substantial public interest benefits that amply justify the proposed channel substitution.

Should the FCC adopt the proposed change, Good News Television will move expeditiously to amend its pending application for a new DTV construction permit to specify operation on the new channel with the facilities authorized in this proceeding and, when that application is granted, proceed to construct a new digital television broadcast station on Channel 45 within the time frame required by the FCC.

For the foregoing reasons, the FCC should adopt the changes in the Table of DTV Allotments described in the *NPRM* and amend the table to provide as follows:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
Macon, Georgia	4, 16, 40, 50	4, 16, 40, 45'

Respectfully submitted,

MACON URBAN MINISTRIES, INC., d/b/a
GOOD NEWS TELEVISION

By 

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November 14, 2002

¹ Specifically, the Channel 45 allotment should provide for operation with 1,000kW maximum ERP at 223 meters AAT.

APR - 1 2002

MM Docket No. 02-
RM-

Previously, in its *Report and Order* in MM Docket No. 01-01, DA 02-241, released February 6, 2002, the FCC, at the request of Gannett Georgia, L.L.P., licensee of WMAZ-TV, Macon, Georgia, substituted Channel 4 for Channel 45 as WMAZ-TV's paired DTV allotment, resulting in the removal of Channel 45 from the Table of DTV Allotments.. That decision was published in the *Federal Register* on February 14, 2002, 67 *Fed. Reg.* 6875, and became effective, by its terms, on March 25, 2002. To the best knowledge of counsel, no petition for reconsideration has been filed.

radiated power at 208 meters above average terrain. As set forth in the attached engineering statement of Good News Television's consulting engineers, du Treil, Lundin & Rackley, Inc., operation on Channel 50 **requires use** of a directional antenna to avoid excessive interference to NTSC Channel 50 at Opelika, Alabama, and **minimize** interference to DTV stations on Channel 50 at Bainbridge, Georgia, and Birmingham, Alabama, and Channel 51 at Cordele, Georgia. Informally, the staff has advised counsel for Good News Television that its pending DTV construction permit application cannot be granted at the present time because (1) in the staff's opinion, the proposed DTV facility on Channel 50 would cause excessive interference to facilities proposed in a cut-off application for a construction permit for a new NTSC station on Channel 35 at Warner-Robbins, Georgia, and (2) the Channel 50 application is mutually exclusive with an application for a construction permit for a new DTV station on Channel 51 at Cordele, Georgia.

Substitution of Channel 45 for Channel 50 would permit WGNM(TV) to operate *non-directionally* at 1,000 kW at 223 meters above average terrain. Operating non-directionally on Channel 45 from the transmitter site proposed in Good News Television's pending application (32° 45' 51" N, 83° 33' 32" W) with 1,000 kW ERP at 223 meters AAT, WGNM-DT would provide service to a total of 713,912 persons (2000 Census), including all of the population within WGNM(TV)'s currently authorized (File No. BPCT-980630KE) NTSC Grade B contour, and all of the population residing within the service area proposed in the pending DTV construction permit application. This would be a service gain of 89,848 persons, or 14.4 percent. **Also**, assignment of Channel 45 to Good News Television would eliminate potential interference to one NTSC station (and to the facilities proposed in the application for NTSC Channel 35 at Warner-Robbins) and three DTV stations, resulting in a more efficient utilization of the spectrum. (In the case of the Cordele, Georgia, DTV allotment, substitution of Channel 45 for Channel

50 at Macon would remove the mutual exclusivity identified by the FCC between the Macon and Cordele applications, thereby expediting the authorization and implementation of new DTV service to both Macon and Cordele). In addition to these public interest benefits, the ability to operate nondirectionally on Channel **45** would reduce Good News Television's costs for converting to **DTV** and conserve resources for other aspects of ~~the~~ transition, including programming.

For the foregoing reasons, ~~the~~ FCC should grant this petition and issue a Notice of Proposed Rule Making to amend the Table of DTV allotments to provide as follows:

	<u>Channel No.</u>	
<u>City</u> _____	<u>Present</u>	<u>Proposed</u>
Macon, Georgia	4, 16, 40, 50	4, 16, 40, 45'

Respectfully submitted,

MACON URBAN MINISTRIES, INC., d/b/a
GOOD NEWS TELEVISION

By _____

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Its Attorney

April **1,2002**

² Specifically, ~~the~~ Channel **45** allotment should provide for operation with 1,000 kW maximum ERP at **223** meters AAT.

ENGINEERING STATEMENT
IN SUPPORT OF RULE MAKING
GOOD NEWS TELEVISION
MACON, GEORGIA

This engineering statement was prepared on behalf of Good News Television ("WGNM"), licensee of television station WGNM Macon, Georgia. Station WGNM operates on analog channel 64 and has been allotted channel 50 for DTV use. There is an application pending with the FCC for use of DTV channel 50, employing maximum effective radiated power of 1,000 kilowatts with antenna height above average terrain of 208 meters, File No. ARN-19991029AFL.

As a result of action in MM Docket No. 01-01 (RM-10013), which modified the Macon, GA allotments, DTV channel 4 replaced DTV channel 45. WGNM proposes to substitute DTV channel 45 for the current DTV allotment, channel 50. It is requested that the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules be amended as follows:

City	<u>Channel Number</u>	
	<u>Present</u>	<u>Proposed</u>
Macon, Georgia	4, 16, 40, 50	4, 16, 40, 45

DTV channel 45 can be allotted to Macon, Georgia, assuming effective radiated power (ERP) of 1,000 kilowatts and antenna height above average terrain (HAAT) of 223 meters. The allotment of this channel with specified

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facilities provides the required interference protection to all pertinent analog and digital stations.

The pending WGNM application for DTV channel 50, employing ERP of 1,000 kilowatts with (HAAT) of 208 meters proposes use of a directional antenna so as to avoid excessive interference to NTSC channel 50 at Opelika, AL. In addition, there are DTV interference concerns with WTLH-DT Bainbridge, GA (channel 50), WBRC-DT Birmingham, AL (channel 50) and WSST-DT Cordele, GA (channel 51). The reassignment of WGNM to DTV channel 45 will eliminate the possibility of interference to these stations, while also permitting potential expansion of the facilities of these DTV channel 50 and 51 stations, as soon as the channel 50 allotment at Macon is vacated.

The following parameters would apply to the assignment of DTV channel 45 to WGNM:


Transmitter Location	32-45-51 North Latitude 83-33-32 West Longitude
ERP	1,000 KW
HAAT	223 Meters
Antenna	Omni-directional

With use of the proposed facility, and as shown on the attached map, Figure 1, WGNM would provide DTV

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service to a noise-limited area consisting of 23,116 square kilometers in which 713,912 persons reside. **All** of Macon, Georgia would be within the DTV principal community contour. In addition, the proposed DTV operation would provide DTV service to **all** of the current WGNM analog service area. Population information is from the 2000 census.

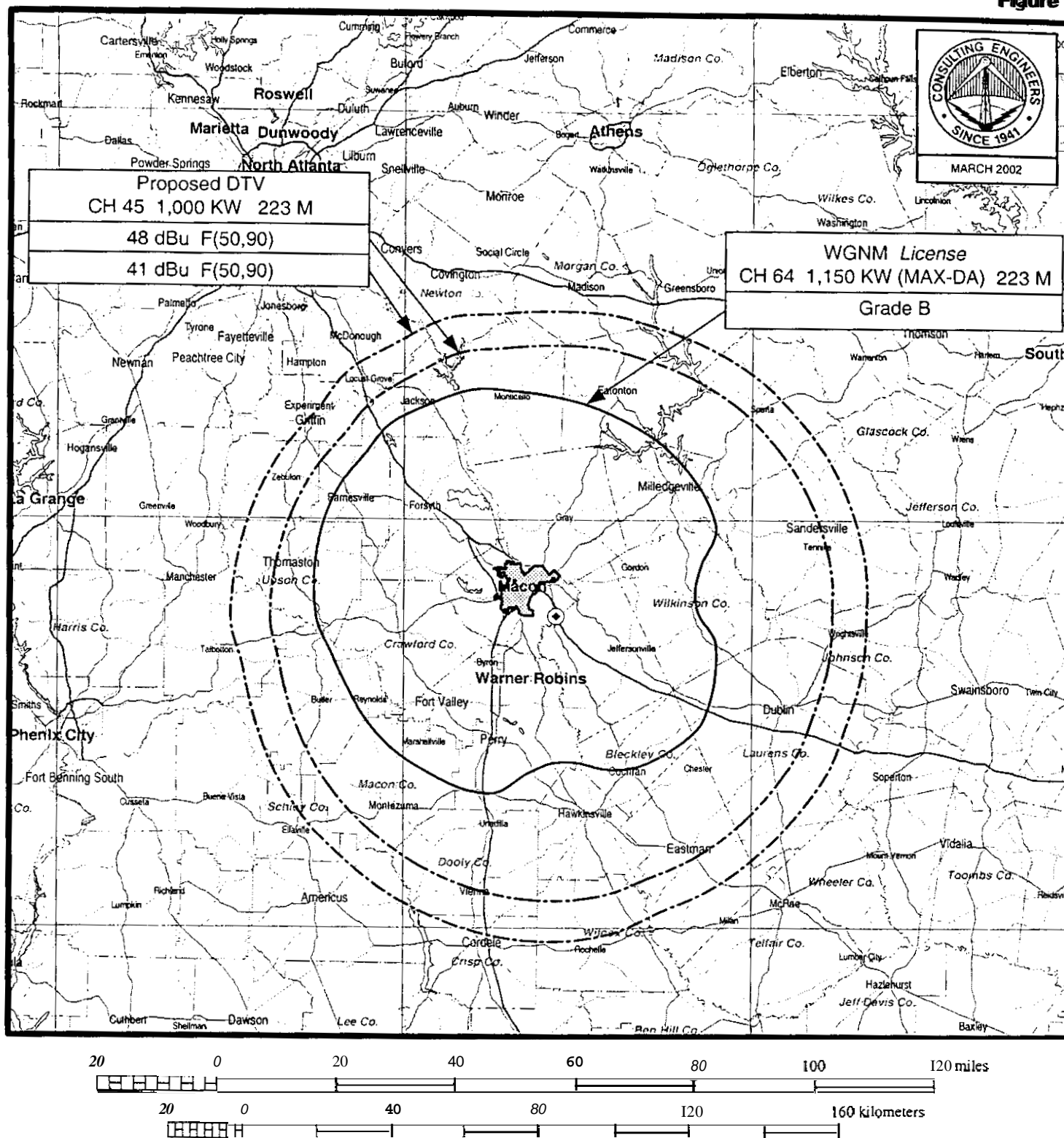
DTV channel 45 is superior to channel 50 for DTV use by WGNM as potential interference to other stations will be lessened and a broader area of coverage can be achieved by WGNM with use of an omni-directional antenna.

A handwritten signature in cursive script, reading "Louis R. du Treil".

Louis R. du Treil, Sr.
du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, FL 34237

March 25, 2002

Figure 1



PREDICTED COVERAGE CONTOURS

GOOD NEWS TELEVISION
MACON, GEORGIA

du Treil, Lundin & Rackley, Inc. Sarasota, Florida